

**COOKEVILLE CITY COUNCIL  
REGULAR MEETING  
JANUARY 15, 2004  
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, January 15, 2004, at 6:00 p.m., in the Municipal Building, 45 East Broad Street. Invocation was given by Mayor Womack. Pledge of Allegiance was led by Mayor Womack. Mayor Womack then called the meeting to order and asked the Clerk to call the roll. Present and answering roll call were:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

Also present: Jim Shipley, City Manager; Cathy McClain, City Clerk; and Mike O'Mara, City Attorney.

**CONSIDER APPROVAL OF  
AGENDA AS PRESENTED**

Councilman Sallee made a motion, seconded by Vice-Mayor Qualls, to approve the agenda as submitted. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**RECOGNIZE VOLUNTEER OF  
THE MONTH**

***PROCLAMATION***

*Whereas:* Sylvia McCann is being honored as January's "Volunteer of the Month" as she is a very active volunteer and has served her community for many years; and

*Whereas:* Ms. McCann's association with the United Methodist Church is evidenced by her being ordained to give Holy Communion, she has held most of the offices in the United Methodist women's group, including President and she has received their highest recognition, that of "Methodist Woman Queen Mother of the Year"; and

*Whereas:* Ms. McCann is a very talented member of the local chapter of the Embroiderer's Guild of America and has hand made and donated "cuddle quilts" that are given to underprivileged babies and children in Putnam County and she is instrumental in the success of the Algood Quilt Show; and

*Whereas:* A charter member of the Master Singers, Ms. McCann has been a supporter of the local Animal Shelter for many years and works with the spay and neuter clinics; and

*Whereas:* Sylvia has been a volunteer at the hospital since 1987, she is currently Chairperson of the Patient Tower information desk that aids many visitors to the hospital each day.

*Now, therefore,* I, Dr. Charles Womack, Mayor of the City of Cookeville, do hereby proclaim a sense of profound appreciation to Sylvi McCann for your commitment to this community and commend you as Cookeville's Volunteer of the Month.

This 15<sup>th</sup> day of January, 2004.

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Mayor Charles T. Womack, MD

**COOKEVILLE CITY COUNCIL  
MINUTES  
JANUARY 15, 2004**

**CONSIDER RESOLUTION #R04-01-02,  
COMMENDING ELDON LESLIE &  
APPROVE PURCHASE/DONATION  
OF AED FOR THE TOWN CENTRE**

Mayor Womack read Resolution #R04-01-02, and requested donating an AED to the Town Centre in honor of Mr. Eldon Leslie.

Mayor Womack made a motion, seconded by Councilman Shelton, to adopt Resolution #R04-01-02, and donate an (AED) Automatic External Defibrillator to the Town Centre. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

At this time, Mayor Womack presented an AED to Mr. George Halford, new President/CEO of the Cookeville/Putnam County Chamber of Commerce.

**OLD BUSINESS:**

**CONSIDER APPROVAL OF MINUTES  
OF COUNCIL MEETING HELD ON  
DECEMBER 18, 2003**

Councilman Sallee made a motion to dispense with the reading of the minutes and approve said minutes as submitted. The motion was seconded by Councilman Shelton. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**NEW BUSINESS:**

**HOLD A PUBLIC HEARING AND  
CONSIDER ON FIRST READING  
ORDINANCE #O03-12-24,  
REZONING PROPERTY OFF  
STATE HWY 290 (PARCEL 58.03  
& A PORTION OF PARCEL 58.00  
TAX MAP 39) FOR A DISTANCE  
OF 500' FROM SOUTHERN  
RIGHT-OF-WAY OF STATE HWY  
290 FROM RS-10 (SINGLE-  
FAMILY RESIDENTIAL) TO CL  
(LOCAL COMMERCIAL)**

Councilman Sallee stated that there were concerns voiced in the Planning Commission Meeting from the area residents that due to this being the only commercial land inside city on Hwy 290, it could impede traffic flowing in & out of Cookeville.

**COOKEVILLE CITY COUNCIL  
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Councilman Shelton made a motion, seconded by Councilman Davis, to approve on first reading Ordinance #O03-12-24. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Ricky Shelton

NAY: Councilman Sam Sallee

The City Clerk announced that the motion carried.

**HOLD A PUBLIC HEARING AND  
CONSIDER ON FIRST READING  
ORDINANCE #O03-12-25,  
AMENDING SECTIONS 201 &  
202 OF THE COOKEVILLE  
ZONING CODE TO PROVIDE  
PROVISIONS FOR ALLOWING  
A DENSITY BONUS FOR THE  
CONVERSION OF A NON-  
CONFORMING USE TO A  
CONFORMING USE IN  
CERTAIN RESIDENTIAL  
DISTRICTS**

Councilman Sallee made a motion, seconded by Councilman Shelton, to approve on first reading Ordinance #O03-12-25. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**HOLD A PUBLIC HEARING AND  
CONSIDER ON FIRST READING  
ORDINANCE #O03-12-26,  
ANNEXATION OF APPROXIMATELY  
SIXTY-SIX (66) ACRES OFF BROWNS  
MILL ROAD AND SALEM ROAD,  
AND RESOLUTION #R03-12-25,  
PLAN OF SERVICES FOR SAME**

Councilman Shelton made a motion, seconded by Councilman Sallee, to approve on first reading Ordinance #O03-12-26, and adopt Resolution #R03-12-25. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**COOKEVILLE CITY COUNCIL  
MINUTES  
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**HOLD A PUBLIC HEARING ON  
THE ANNUAL PROGRESS  
REPORT ON THE PLAN OF  
SERVICES FOR THE BUCK  
MOUNTAIN ROAD/DRY  
VALLEY ROAD ANNEXATION  
AREA**

**NOTICE OF PUBLIC HEARING  
CITY OF COOKEVILLE  
ANNUAL PROGRESS REPORT  
PLAN OF SERVICES FOR ANNEXATION AREA**

Notice is hereby given that the Cookeville City Council will hold a Public Hearing at its meeting on Thursday, January 15, 2004 at 6:00 p.m. in the Council Room at City Hall. The purpose of this Hearing is to present an Annual Progress Report on the status of extending services to the Buck Mountain Road-Dry Valley Road Area as specified in the Plan of Services. All interested citizens are invited to attend this Hearing. The Progress Report for this annexation area is as follows:

**ANNUAL PROGRESS REPORT  
PLAN OF SERVICES  
BUCK MOUNTAIN ROAD/DRY VALLEY ROAD ANNEXATION AREA**

The Cookeville City Council, through Resolution R00-03-11, adopted a Plan of Services for the annexation of certain territory identified as the Buck Mountain Road-Dry Valley Road Annexation Area. The annexation of this area became effective on July 19, 2000. *Tennessee Code Annotated*, Section 6-51-108 requires that a report be prepared and published on the progress of extending the services to the annexation area as specified in the Plan of Services. According to the Directors of the applicable City Departments, the following progress has been made toward extending the services specified in the Plan of Services for the Buck Mountain Road-Dry Valley Road Annexation Area:

Police and Fire Protection

Police and fire protection are provided to the annexation area as specified in the Plan of Services.

Water

Water service has been provided by the City of Cookeville as specified.

Sanitary Sewer

Sanitary sewer service has not yet been extended to the areas. The Plan of Services specifies that sanitary sewer service will be provided based on the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits.

Solid Waste Collection and Disposal

Solid waste collection and disposal is provided to the annexation area as specified.

Streets

Street maintenance is provided to the annexation area as specified.

Planning and Zoning and Inspection Services

Planning and zoning and inspection services are provided to the annexation area as specified.

Electrical Service and Street Lighting

The city is pursuing legal measures to obtain the electric service area from the Upper Cumberland Electric Membership Coop. The Plan of Services specifies that electric service at city rates and street lighting will be provided within three years after the city acquires the service area.

Recreational Facilities

The residents of the annexation area are able to use all municipal recreational facilities as specified.

Natural Gas

Natural gas service has been provided by the City of Cookeville as specified.

Street Name Signs

Street name signs have been provided to the annexation area.

James Mills

Director of Planning

**CONSIDER APPOINTMENTS TO  
THE GREENWAYS/BIKE TRAIL/  
PEDESTRIAN CIRCULATION  
TASK FORCE**

**MEMORANDUM**

**TO: Cookeville City Council**  
**FROM: James Mills, Planning Director**  
**DATE: January 8, 2004**  
**SUBJECT: Appointments Greenways/Bike Trail/Pedestrian Circulation Task Force**

Cookeville Greenways/Bike Trail/Pedestrian Circulation Task Force members Camille Fliss, Monet Maddux, and Joe Sharpe have indicated that they no longer wish to serve. The Task Force respectfully submits for your approval the appointment of the following persons to fill the vacated slots:

Eric Koger  
Susan Ford  
Becky Magura

These individuals have been contacted by the Task Force and have agreed to serve if appointed. Your consideration of this matter is appreciated.

**COOKEVILLE CITY COUNCIL  
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Mayor Womack made a motion, seconded by Councilman Shelton, to appoint these Task Force members as submitted. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER RESOLUTION #R04-01-01,  
AUTHORIZING THE APPLICATION  
FOR COMMUNITY DEVELOPMENT  
BLOCK GRANT FUNDS THROUGH  
THE TN DEPT. OF ECONOMIC  
& COMMUNITY DEVELOPMENT  
& TO PROVIDE THE MATCHING  
FUNDS**

Vice-Mayor Qualls made a motion, seconded by Councilman Davis, to adopt Resolution #R04-01-01. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER AUTHORIZING THE  
CITY MANAGER TO EXECUTE  
A CONTRACT WITH CENTRAL  
SERVICE ASSOCIATION**

Councilman Davis made a motion, seconded by Councilman Shelton, to authorize the City Manager to execute a contract with Central Service Association to continue printing our utility bills. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER APPOINTMENTS TO  
SEWER APPEALS BOARD**

**COOKEVILLE CITY COUNCIL  
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To: Cathy McClain, City Clerk  
 From: Barry K. Turner, P.E.  
 RE: Sewer Regulations Appeal Board  
 Date: January 9, 2003

The terms of Phil Staton and Larry Nixon, members of the Sewer Appeals Regulation Board expired in December. They, having served two consecutive terms, cannot be reappointed. Bob Vick and Dennis George have agreed to fill these vacancies. Dennis George has a Ph.D from Clemson and is the Director of TTU's Center of Water Resource Research. He has previously served on this board. Bob Vick has a Masters Degree from Tennessee Tech and is a Registered Engineer, Registered Surveyor, and Licensed Contractor and has a Consulting Engineering Firm here in Cookeville. These appointments will be for three year terms ending December 2006.

Councilman Shelton made a motion, seconded by Vice-Mayor Qualls, to appoint Mr. Bob Vick & Mr. Dennis George to the Sewer Regulations Appeals Board as submitted. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
 Vice-Mayor Steve Qualls  
 Councilman Jean Davis  
 Councilman Sam Sallee  
 Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER AWARDED BID FOR  
PORTACOUNT FIT TESTER &  
CUTTER SPREADER POWER  
SOURCE (PUMP)/HOSE - FIRE  
DEPARTMENT**

CITY OF COOKEVILLE  
 BID TABULATION SCHEDULE

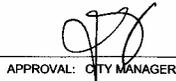
ONE (1) PORTACOUNT FIT TESTER

DATE OF BID OPENING: 01/5/04 TIME: 10:30 A.M.  
 BIDS OPENED BY: April Howard  
 BIDS WITNESSED BY: Bruce Womack  
 DEPARTMENT: Fire \*\*COUNTY & CITY BIDDED TOGETHER

BIDDERS	AMOUNT			
TSI Incorporated	\$7,852.00			
Samson Industrial	No Bid			

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM TSI INCORPORATED BE AWARDED FOR THE FOLLOWING REASON: ONLY BID RECEIVED

  
 RECOMMENDED: DEPARTMENT HEAD

  
 APPROVAL: CITY MANAGER

  
 BUDGET AVAILABILITY: FINANCE DIRECTOR  
 \*\* City \$3926 (OUR COST ONLY)  
 County \$3926

**COOKEVILLE CITY COUNCIL  
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CITY OF COOKEVILLE  
BID TABULATION SCHEDULE

ONE (1) CUTTER SPREADER, POWER SOURCE (PUMP) AND 32 FEET OF HOSE

DATE OF BID OPENING: 01/5/04 TIME: 10:00 A.M.  
 BIDS OPENED BY: April Howard  
 BIDS WITNESSED BY: Bruce Womack  
 DEPARTMENT: Fire

BIDDERS	AMOUNT			
NAFECO	\$8,854.00			
Holmatro	No Bid			

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM NAFECO BE AWARDED  
 FOR THE FOLLOWING REASON: ONLY BID RECEIVED

Greg Sledge  
 RECOMMENDED: DEPARTMENT HEAD

[Signature]  
 APPROVAL: CITY MANAGER

Michael Davis  
 BUDGET AVAILABILITY: FINANCE DIRECTOR  
 Grant Proceeds #6,666.67

Vice-Mayor Qualls made a motion, seconded by Councilman Sallee, to award the Fire Department bids as recommended. Upon call for a vote, the following voted aye:

- Mayor Charles Womack
- Vice-Mayor Steve Qualls
- Councilman Jean Davis
- Councilman Sam Sallee
- Councilman Ricky Shelton

The City Clerk announced that the motion carried.

At this time, Mayor Womack read City Attorney O'Mara's letter concerning the "Good Samaritan Law" (AED Limited Liability).

**CONSIDER AWARDED BID FOR  
RECREATION BUILDING –  
LEISURE SERVICES DEPT.**

CITY OF COOKEVILLE  
TABULATION SCHEDULE

Leisure Services Department Recreation Building

DATE OF BID OPENING: Thursday, January 8, 2004 Time: 2:00 p.m.  
 BIDS OPENED BY: Rick Woods  
 BIDS WITNESSED BY: Greg Brown  
 DEPARTMENT: Leisure Services & Public Facilities

(SHELL OF GYM)

	Base Bid (SHELL OF REC CTR & SHELL OF GYM)	Add or Deduct Alt 1	Add or Deduct Alt 2	Add or Deduct Alt 3	
1. Norrod Builders	No bid				
2. W & O Construction	No bid				
3. Sergio & Sons Inc.	\$632,378.00	No Bid	\$277,640.00	No bid	
4. J & S Construction	\$588,505.00	No Bid	\$76,420.00	No Bid	
5. Mid-State Construction (BIDS GOOD FOR 45 DAYS)	\$508,900.00	No Bid	\$222,900.00	No Bid	
6. Heritage Construction	No Bid				
7. Reliable Building Service	No Bid				
8. Davison Construction	No Bid				

We, the undersigned, do hereby recommend the bid from Mid-State Construction  
 be awarded for the following reason: Low bid - meeting specifications.

Rick Woods  
 RECOMMENDED: DEPARTMENT HEAD

[Signature]  
 APPROVAL: CITY MANAGER

Michael Davis  
 BUDGET AVAILABILITY: FINANCE DIRECTOR  
 \$215,000 Reserved for L.S. Recreation Facility  
 Balance of Expenditure would be Debt Issue

**COOKEVILLE CITY COUNCIL  
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Mr. Rick Woods, Leisure Services Director, discussed the low bid submitted & in-house costs of the recreation center. He explained that the deadline for the LPRF current grant (\$200,000) is 6-30-04, but he has requested a one (1) year extension.

City Manager Shipley stated that we have budgeted \$215,000 & LPRF grant money for \$200,000.

Councilman Sallee made a motion, seconded by Mayor Womack, to approve the construction of a recreation building at approximately \$547,000 (completed rec. bldg. only).

Councilman Shelton requested that the finish work figures be double checked.

Mayor Womack made a motion to table, seconded by Councilman Shelton.

Councilman Shelton rescinded second to table.

Councilman Davis requested studying a detailed list of materials.

Mr. Alan Boles, Maintenance Dept. Supervisor, stated that his material list submitted to the council is a completed accurate list of in-house costs.

Mayor Womack made a motion to amend the original motion to delete expenditure of approximately \$547,000, and replaced with approval of expenditure of \$415,000 (awarding bid to Mid-State Construction for \$286,000 for shell of rec. bldg. & remainder toward completion of rec. bldg.) at this time.

Councilman Shelton made a motion to table, seconded by Councilman Davis. Upon call for a vote, the following voted aye:

Councilman Jean Davis  
Councilman Ricky Shelton

NAY: Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Sam Sallee

The City Clerk announced that the motion to table failed.

Vice-Mayor Qualls seconded on Mayor Womack's motion to amend the original motion. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee

NAY: Councilman Ricky Shelton

The City Clerk announced that the amendment to the original motion carried.

Upon call for a vote on the amended motion, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee

NAY: Councilman Ricky Shelton

The City Clerk announced that the amended motion carried.

**COOKEVILLE CITY COUNCIL  
MINUTES  
JANUARY 15, 2004**

**HEARING FROM OFFICERS, COUNCILMEN & CITY MANAGER:**

**REPORT ON APPOINTMENTS  
TO THE PLANNING  
COMMISSION**

Mayor Womack reported his appointments to the Planning Commission as recommended:

**MEMORANDUM**

**TO: DR. CHARLES WOMACK, MAYOR**  
**FROM: JAMES MILLS, PLANNING DIRECTOR**  
**DATE: JANUARY 8, 2004**  
**SUBJECT: PLANNING COMMISSION APPOINTMENTS**

As you are aware the terms of Jim Stafne, Angelo Volpe, and Larry Nunn for service on the Planning Commission expired on January 1, 2004. Mr. Stafne and Dr. Volpe have indicated that they would continue to serve if reappointed. Mr. Nunn does not wish to be reappointed. Members of the Planning Commission serve five-year terms and are appointed by the Mayor.

The Planning Department respectfully recommends for the reappointment of Mr. Stafne and Dr. Volpe and for the appointment of Ms. Nina Lunn to replace Mr. Nunn.

If you have any questions or need further information please contact me at your convenience.

Mayor Womack advised that the Nashville & Eastern Railroad Authority met today & discussed running the railroad from Algood to Monterey. He expressed a desire to have Greenways from Algood to Monterey to ride bikes along the railroad.

**HEARING OF CITIZENS AND/OR DELEGATIONS:**

No one spoke at this time.

There being no further business to discuss, Councilman Sallee made a motion, seconded by Vice-Mayor Qualls, to adjourn the meeting at 7:24 p.m. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

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Charles Womack, Mayor

ATTEST:

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Cathy McClain, City Clerk

